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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,740	08/16/2000	Alyssa Dver	1113-201	3381

7590 09/17/2004

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EXAMINER

KALINOWSKI, ALEXANDER G

ART UNIT PAPER NUMBER

3626

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/639,740

Applicant(s)

DVER, ALYSSA

Examiner

Alexander Kalinowski

Art Unit

3626



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

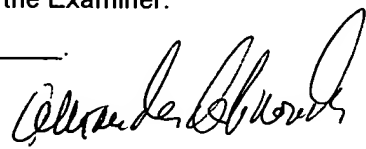
Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 86-99.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____



Alexander Kalinowski
Examiner
Art Unit: 3626

Continuation of 5. does NOT place the application in condition for allowance because: Applicant argues that the Waits reference does not disclose a station as defined in the specification as a "predefined workflow based on the type of lead and required followup." The Examiner disagrees. In Waits, as acknowledged by the Applicant, a campaign defined as "specific actions undertaken with pursuit to a strategy" is conducted on a customer segment. The specific actions of a Campaign characterize a predefined workflow in that specific tasks are predefined by a user for that segment of customers. These tasks represent actions that are to be performed with a particular customer in mind (i.e. required followup). Therefore, at least the Campaign of Waits represents a station as defined by Applicant's specification and a lead. Furthermore, Applicant argues that Gisby does not pertain to a marketing or sales campaign. The Examiner notes that Gisby was used to disclose "moving a lead to a subsequent station wherein the subsequent station is determined in response to a reaction of said lead in a prior station". The Examiner used the Waits reference to disclose the other limitations of claim 86. Applicant's arguments directed to the disclosure of Gisby that were already addressed by the Waits reference are nonpersuasive. Furthermore, Gisby discloses conducting telephone surveys as a marketing tool so it is related to marketing products or services. Support for the Gisby teaching can be seen clearly in Fig. 2 Gisby moves a lead to a subsequent station (i.e. regular agent, target agent) based on the lead's response in the previous station (i.e. step 103). Therefore, Applicant's arguments directed to the Gisby reference are nonpersuasive. Motivation to combine the teachings of Gisby within the Waits method were cited directly from the Gisby reference. All limitations of the claimed invention were addressed in the final rejection of claims 86-99 and motivation to combine the references was explicitly cited from the references themselves. Therefore, a prima facie case of obviousness was presented by the Examiner with respect to claims 86-99 and Applicant's arguments directed to the final rejection of claims 86-99 are nonpersuasive.